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PROPONENT'S REPLY COMMENTS

TO COMMENT (WITH COUNTERPROPOSAL) FROM COHN AND MARKS

(DATED NOVEMBER 19, 1993)

MM DOCKET NO. 93-248 RM-8321

PETITIONER: PETER L. CEA
707 GREEN COOK RD.
SUNBURY, OHIO 43074

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List A B C D E

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I. REPLY TO COHN AND MARKS COMMENTS

Upon review of the comments contained in the correspondence served on November 22, 1993 (mailed November 19, 1993), numerous discrepancies were found in its interpretation. I would like to take this opportunity to reply in the order that they appear, beginning with the statement of BACKGROUND.

Mr. Coy has accidentally listed WHBC-FM as operating on FM Channel 231A. That allotment is listed as 231B and is corrected in the engineering text written by Mr. Roy P. Stype, III.

The same paragraph reviews the relationship of the proposed allotment (reference coordinates) with the minimum separations required to existing stations. It is agreed that the minimum separation distance between the reference coordinates and station WHBC-FM comply with the distance required by .01 kilometers. It is then stated that the same reference coordinates fail to comply with separation requirements to the city of Chillicothe. Per Section 73.208(a) and (b), the station transmitter coordinates of WFCB (232A) and WFCB.C (232B1) are to be used, instead of city coordinates, to determine nonconforming separations. Both site separations passed the requirements as outlined in Section 73.207. [On November 29, 1993, a telephone

conversation with WFCB.C-FM General Manager and President Mr. Dave Smith revealed that the class B1 construction permit site coordinates are proper. The station is nearing completion of construction and awaits the shipment of the antenna. Estimated air date is approximately one month.]

Counsel proceeded to explain the current EBS PLAN FOR EAST CENTRAL OHIO. Although the plan described in the comments appeared to be in order, the engineering documentation to support the claim of "destructive interference" was not found in both this document or the document prepared by Mr. Stype. Additionally, at the conclusion of this section, it was perceived that alternative methods or options for any station experiencing difficulty with EBS reception had not been examined, or offered. This discussion avoided the recent interest in updating the current Emergency Broadcast System, which has gained increasing national recognition.

With respect to comments under THE ALLOCATION OF CHANNEL 221A WOULD PROVIDE COMPARABLE SERVICE, I agree that this allocation meets all of the relevant spacing requirements with consideration to primary stations. According to my database, an allotment on Channel 221A fails the minimum distance separation by over 58

kilometers to Channel 221D (W221AR - Coshocton). This was confirmed via telephone to the Federal Communications Commission's Public Reference office. I was informed that Raven Ridge Ministries, Inc. was issued a construction permit on February 1, 1993 for W221AR. It shall be the determination of the Federal Communications Commission to rule on this interference per guidelines set forth in Section 73, Subpart C.

Counsel summarized its paragraph by stating "Such a facility would be fungible with the proposed allocation...". I shall consider this to be a typographical error in which "tangible" is to replace "fungible".

II. REPLY TO ENGINEERING STATEMENT SUPPLIED BY CARL E. SMITH CONSULTING ENGINEERS

In the documentation prepared by Mr. Stype, he refers to "adverse impact" on EBS due to interference caused by the proposed allotment. This claim is based on "interference standards outlined in Section 73.215 of the FCC Rules,". The referenced section considers "Contour protection of short-spaced assignments". Mr. Stype had provided evidence in the beginning of the paragraph that the proposed allotment met minimum spacing requirements to WHBC-FM (including all existing stations). Therefore it would not be classified as a short-spaced assignment. I question the validity of his

statements in this paragraph as a whole.

To continue by overlooking all previous discussions, Mr. Stype describes the impact of a proposed allotment on EBS to stations surrounding Pleasant City. Again, reference is made as to the impact on the existing EBS plan without consideration given to alternatives and future plan revision. It should be noted that the "petitioner" did not receive comments from any stations receiving the EBS signal from WHBC that may be impacted by the new allotment.

I agree with Mr. Stype's comments under the topic concerning Channel 221A allocation and would like to re-enforce his statement:

An examination of this table shows that operation on Channel 221A from this site would meet the spacing requirements to all other facilities requiring consideration.

The definitive phrase is "all other facilities requiring consideration", concerning station W221AR - Coshocton (221D), as referenced previously.

I concur with the city grade measurements provided, but have some concerns with the position of the site with relation to Cambridge Municipal Airport. To consider site selection in this area, Part 17 shall influence final transmitter coordinates. A 100 meter tower could prove to be an air traffic hazard with respect to the approach of this airport, regulated both

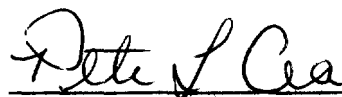
Federally and by State laws (Ohio Department of Transportation, Division of Aviation). With the FM Allocation Study provided by Mr. Stype, verified by my database, the direction most available for transmitter relocation due to required spacing is north of the counterproposal's coordinates. This would allow greater separation from the Cambridge Municipal Airport, hence providing less hazard to air traffic on approach. With this relocation, the city grade signal to Pleasant City would be jeopardized. The recommendation to rename the allocation to the city of Cambridge may be appropriate by the Federal Communications Commission.

III. CONCLUSION TO THE PETITIONER'S REPLY

Considering all of the above, Channel 232A to Pleasant City has met the required spacing necessary for an allotment with regard to current database information. A concern has been expressed by representatives of the Beaverkettle Company, Canton, Ohio. Some of the statements issued in support of their reasoning appear to have been made without proper justification. To the extent that the EBS concerns have been sensationalized, I will not comment. How long the existing EBS plan shall remain in effect is unknown. If this is a concern to the Federal Communications Commission in the service of immediate public interest,

I feel that Channel 221A is a viable alternative. My considerations, with regard to the secondary station in Coshocton and to Part 17 awareness, have been discussed. To these statements, I would consider the Commission's allotting a different channel than 232A.

Signed,

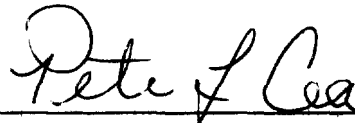


Peter L. Cea "Petitioner"

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Sunbury, Ohio 43074

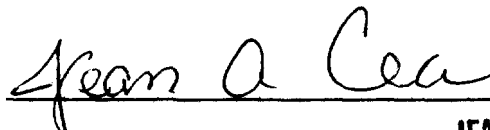
AFFIDAVIT

I, Peter L. Cea, verify that the statements contained in this reply of comments made to MM Docket No. 93-248 RM-8321 are accurate to the best of my knowledge. My current address is 707 Green Cook Road, Sunbury, Ohio, 43074.



Peter L. Cea (Petitioner)

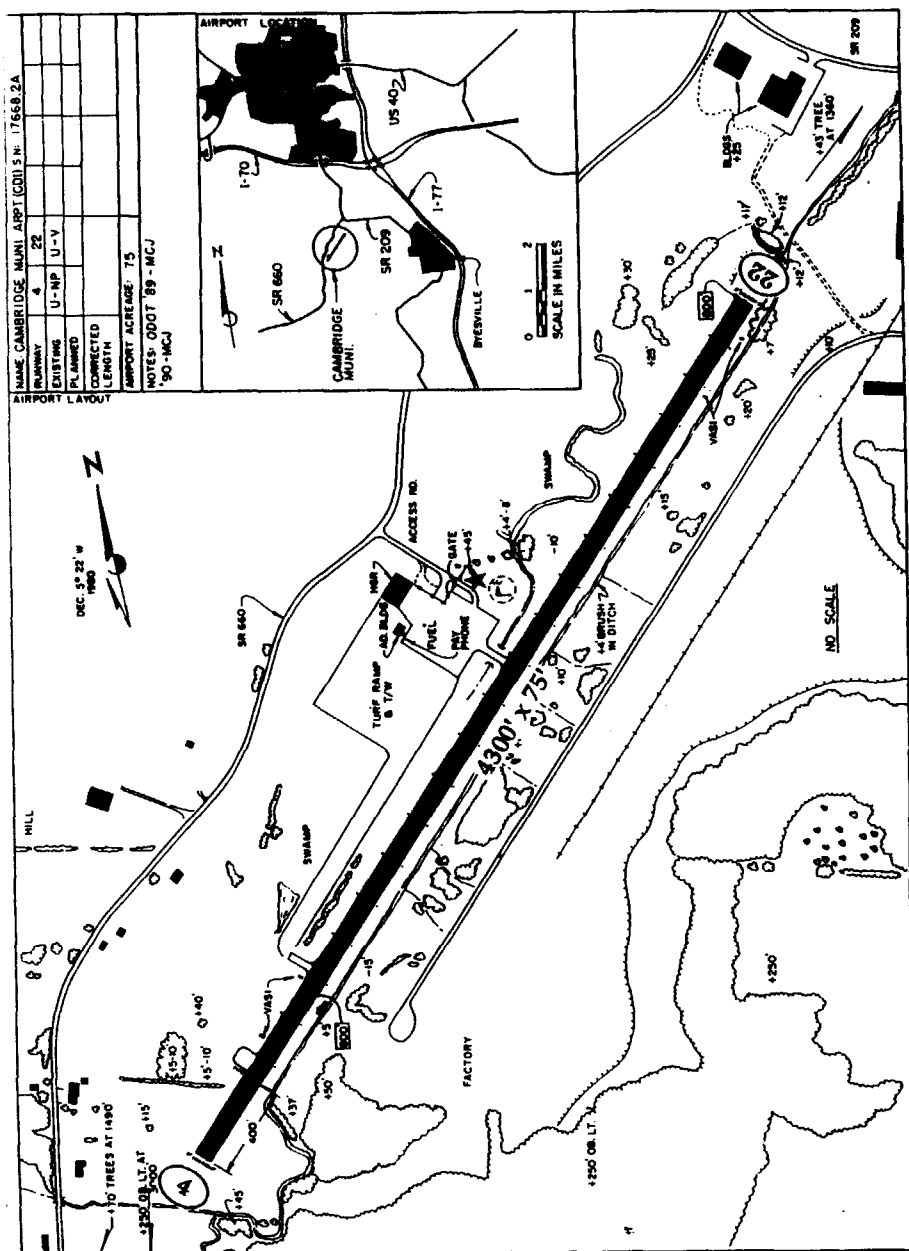
Subscribed and sworn to before me this 29th day of November, 1993.



Notary Public

JEAN A. CEA
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JAN. 27, 1998

CAMBRIDGE (CDI) CAMBRIDGE MUNI



CAMBRIDGE (CDI) CAMBRIDGE MUNI

ELEVATION: 800' LAT: 39-58-30 N
 LONG: 81-34-40 W

RUNWAY	SURFACE	LENGTH x WIDTH	DISPLACED
4/22	ASPH	4300' x 75'	4-400'

TRAFFIC PATTERN: LEFT

LIGHTING: BCN, MIRL, , REIL, VASI

COMMUNICATIONS

CTAF/UNICOM	GRND TOWER	APP DEP	CLNC	ATIS
122.8		124.45 W		
		120.4 E		

NAVIGATION

TYPE	IDENT	FREQ	BRNG	DIST (NM)
VOR	ZZV	111.4	088	14.7
NDB	CDI	223	ON FIELD	

CLASS: 2
 NM FROM CITY: 3 S
 FSS: CLEVELAND (800) WX-BRIEF
 FUEL: 80, 100LL, JET A
 MANAGER: PAT HEAVILIN
 AIRPORT: ST. RT. 660
 ADDRESS: CAMBRIDGE 43725
 OWNER: CAMBRIDGE REG. APT. AUTH.
 AIRPORT PHONE: (614) 432-3726
 STORAGE: TIEDOWN, HANGAR
 REPAIRS:
 ATTENDED: 0800-1700
 FOOD:
 FBO: CAMBRIDGE FLIGHT CENTER, INC.

REMARKS: ACTIVATE REILS AND INCREASE MIRLS, 122.8.
 FOR ATTENDANT AFTER HOURS CALL (614) 439-5394.

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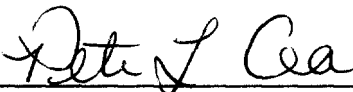
PROOF OF SERVICE

Upon service of comments (MM Docket No. 93-248 -RM-8321) from the law office of Cohn and Marks, 1333 New Hampshire Ave., N.W., Washington, D.C., 20036, representing the Beaverkettle Company, Canton, Ohio, a reply comment per Section 1.420(b) has been prepared. This reply conforms to the guidelines of this section.

Inclusive to the reply comments filed with the Secretary, Federal Communications Commission, Washington, D.C. 20554, this document has been served to the representing counsel per Section 1.47(d).

The following attests that the above reply comment has been served, as written, through the United States Postal Service via Certified Mail, on November 30, 1993, as stated in Section 1.47(f).

Signed


Peter L. Cea

"Petitioner"